The Southern PATRIOT

Volume 6 | New Orleans, Louisiana, April, 1948 | No. 3

BIRMINGHAM STORY

How Segregation Laws Are Used To Destroy Free Assembly, Free Speech, and Civil Liberties Generally

By JAMES A. DOMBROWSKI

The reasoning behind the segregation laws of Southern states is that Negroes are inferior to whites, thus they have no rights which white men, especially policemen, are bound to respect.

Behind the fierce opposition of states' rights Democrats to a federal program of civil rights is the fear that these laws and the pattern of segregation based on them, may be weakened. In opposing federal action in defense of civil rights, the Southern "bolters" are not concerned primarily with the principle of federal as against states' rights, they are protesting the recognition of civil rights for Negroes at any level, national, state or local.

Citizens But No "Rights"

On May first a full page advertisement appeared in the papers of Birmingham, Alabama, asking citizens to vote in the May 4th primaries for a slate of Delegates and Electors "who won't vote for Truman or anyone else who favors 'civil rights' for Negroes BEFORE or AFTER the Philadelphia Convention." The name of Eugene "Bull" Conner, City Commissioner of Public Safety, appeared on this list.

It was Commissioner Conner who caused the Freedom Train to make a detour around Birmingham because he insisted on enforcing the segregation laws. Under "Bull" Conner civil rights for Negroes are protected about as well as they would be if the city were policed by the Klan.

Within the past month it is reported that five Negroes have been shot and killed by officers. The latest victim of police terror was 19-year-old Marion Franklin Noble, killed on April 27. Noble graduated from Parker High School in January. He was the winner of a music scholarship. The NAACP has called an emergency conference. They say citizens have had their NAACP buttons snatched off and stomped on by the police who then cursed the wearers. Negro business men have been beaten.

On April 26th between noon and one o'clock Mrs. Johanna Newhouse, a white business woman who has lived in Birmingham for twelve years, was seated in the office of the Southern Negro Youth Congress discussing a Wallace petition with Louis Burnham, the Executive Secretary. Without warning a city detective arrested her without stating the charge. She was questioned by Commissioner Conner and detectives concerning her political beliefs, held incommunicado, and refused permission to call a lawyer or to notify her husband where she was. About 7 p. m. she was released and charged with vagrancy although she is a property holder and has been engaged in business in the city for more than a score of years. She was listed as living in the North side in a Negro section, although she has occupied her present residence on the South side for years and is listed in the telephone directory.

"Bull" Conner Says No Meetings

The Southern Negro Youth Congress announced a southwide legislative session to be held in Birmingham as a training school for Negro youth to help them find solutions for their many pressing problems.

Commissioner Conner in his self-appointed role of censor of public meetings announced he would do everything he could to prevent the meeting from taking place.

Negro ministers who opened their churches for the meeting were called before the Commissioner. They were threatened with arrest if there was the

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—Courtesy BIRMINGHAM NEWS

After release from Birmingham jail, charged with violating local segregation laws: The Rev. H. Douglas Oliver, James A. Dombrowski, Doris Senk, Edward Forrey.

BIRMINGHAM STORY

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slightest infraction of the segregation laws. According to the press, one minister was told by Conner that the Klan had offered its cooperation to prevent the conference from being held. The first meeting on Friday night could not be held because the intimidation and coercion made it impossible to find a hall.

The officers of the SNYC had notified Conner that the city ordinance on segregation would be observed. The first thing on the program when the meeting opened Saturday, May first, was the reading of Section 859 of the law on "Separation of the Races." The one white delegate, Eddie Forrey, a member of the NMU from Mobile, was seated alone on a bench at the side of the church. Later he shared the bench with white reporters. The only other white persons present were two speakers, one of them the author of this piece.

Speakers Arrested

About the middle of the afternoon police interrupted the address by Dr. Oliver C. Cox of Tuskegee and arrested the three white persons in the hall and the pastor of the church where the meeting was being held, the Reverend H. Douglas Oliver.

The specific infractions of the law cited were failure to erect a "physical barrier" between the races, seating of white and Negro speakers on the same platform, and failure to provide separate exits and entrances. I am told that recently Commissioner Conner was seated with Negroes on the platform at a labor meeting. The BIRMINGHAM NEWS stated:

"No serious breach, possibly even no breach at all, of the Birmingham segregation law seems to this paper to have developed at the Saturday afternoon meeting at which four persons were arrested on charges of violating it."

On the way to the jail an officer called one of those arrested "a dirty New York kike" and said he ought to see that he did not reach jail alive. The prisoner was hit in the face several times by the officer.

At the jail the group was fingerprinted and photographed like ordinary criminals. The finger-print expert asked why I didn't attend meetings in New Orleans; why had I come all the way to Birmingham to attend a meeting? I replied that it was the right of an American citizen to go where he wished. He said, well some of those rights ought to be taken away.

Senator Glen Taylor had been announced as the speaker Saturday night.

At the church there appeared to be more policemen, detectives, and reporters outside the church than there were delegates inside. The church was a little one-story frame cottage, formerly used as a residence. A sign had been tacked up at the front door indicating the entrance was for Negroes, and the back door, previously nailed shut, had been opened for whites.

Arrest of Senator Taylor

When Senator Taylor arrived and was told that the meeting had been segregated he refused to speak, but agreed to go inside to make a statement to that effect. He started up the steps alone. An officer blocked his entrance at the door. Senator Taylor attempted to brush past him. At this point officers and detectives intervened. The Senator was pushed off the porch. There was a brief struggle in the course of which Taylor fell over a low barbed wire fence and cut his leg.

On Sunday the final session of the conference was held. Phillip Foster, a white delegate from Bessemer, Ala., was arrested a block away from the church and charged with vagrancy. He was walking to the meeting with Forrey. When the meeting adjourned, a reporter, not known to the police, was trailed by a squad car and questioned by the police.

Taylor was charged with disorderly conduct, resisting an officer, and assault and battery. He was convicted and fined $50 and costs, with a suspended sentence of 180 days in jail on a 6 months probationary period.

The case was appealed on the ground that the segregation ordinance which the officer was attempting to enforce was a violation of the 14th amendment and of civil rights statutes. The right of Senator Taylor to go through any door he wished to attend a peaceful meeting was "a more inalienable right," said Taylor's attorney, than the right of the officers to interfere.

The cases of the four charged with violating the segregation laws was continued until June 11th.

It is interesting to note that the ancient city hall courtroom was filled with white and colored citizens about evenly divided. Only a wide aisle separated them. They entered and left by the same doors.

Sharing a Good Man's Loss

Dr. Alva W. Taylor, Secretary-Treasurer of the Southern Conference Educational Fund, and one of the most beloved champions of social justice in the entire South, suffered the loss of his home by fire.

Two of his friends, Rabbi Julius Mark, and Dr. Albert E. Barnett, wrote a letter to **The Christian Century** which we reproduce below. The first week after the appearance of the letter, Dr. Taylor received checks totalling $466.00, ten of them for $25.00 each.

We feel certain that the readers of **The Southern Patriot** who are familiar with Dr. Taylor's uncompromising fight for progressive causes over such a long period of time will want to share his loss now. His temporary address is given in the letter below and checks may be sent direct to him. J.A.D.

"SIR: Alva W. Taylor's loss of his home and its contents by fire will be distressing news to his many friends. Dr. Taylor is now 76 years old and has for the past twelve years had only partial employment. Because like Socrates he was a truly great teacher and citizen, he was denied the privilege of continuing to teach.

"His home was more than a place to house his family. It was a means of earning a living. He and his family lived there and rented three small apartments. The loss of his home is therefore the loss of his principal asset. In the evening of his life when earning power is gone but heavy obligations remain, he should not bear this loss alone.

"A limited amount of insurance reduces his loss, but the net loss over and above insurance is approximately $5,000. Two hundred friends, each contributing $25, can absorb that loss and thereby express their sense of indebtedness to one of the great pioneers of the social gospel, who has lived so courageously and unselfishly as to sacrifice his own personal and financial security. We who sign this letter invite all who read it to join us in sending checks directly to Alva W. Taylor, whose temporary address is 917 Eighteenth Ave., N., Nashville, Tenn."

JULIUS MARK
Rabbi.
Vine Street Temple,
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ALBERT E. BARNETT
Professor of New Testament
Garrett Biblical Institute,
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America's Health Is Ailing

140 MILLION PATIENTS, by Carl Malmberg, Reynolds and Hitchcock, New York, $2.75.

"America is the healthiest nation in the world."

You have heard this statement often. Unfortunately, it is not true, says Carl Malmberg in his important book, 140 MILLION PATIENTS.

With respect to babies who die in the first year of life, America stood eighth from the top in the list of nations, and in maternal mortality rates, the United States was twenty-second.

Out of 17,000,000 men aged 18 to 38 examined by Selective Service, 6,500,000 were rejected because of physical or mental defects, (40 percent); between the ages of 34-38 the rejection rate was 50 per cent.

On an agerage day about 7,000,000 persons suffer from illness or disability serious enough to prevent them from working or functioning normally; half of them are sick for 6 months or more and more than a million are sick or disabled for a year or more.

A survey by the FSA in 1941 among 2,480 low-income farm families in 17 states revealed that 96 per cent of the persons examined had significant defects. Only one in a hundred were in "prime physical condition."

Regional & Economic Differentials

America, the richest democratic country in the world, is a country with sharp contrasts in the health status of the people in different geographical areas and at different economic levels.

In four Southern states the death rate from typhoid fever—which is preventable by proper sanitation and immunization—is more than 5 times as high as in New England and more than twice as high as in the United States as a whole. Diptheria, also preventable, is nearly 5 times as high as in New England and about half again as high as in the nation as a whole.

Dysentery, which proper sanitation can eliminate, is 18 times as high as in New England and nearly 3 times higher than the national rate. Pellagra, preventable by a proper diet and curable with nicotinic acid, kills more than 30 times as many victims in proportion to population as it does in New England and 3 times as many as in the country as a whole.

In Jackson County, Miss., on the gulf "gold coast", in 1942 42 per cent of the schoolchildren tested were infested with hookworm. In some schools the rate of infestation was as high as 92 per cent. Hookworm disease is a serious debilitating ailment causing severe anemia, weight loss and other symptoms.

In a section of Harlem the death rate from tuberculosis is 3 times that for the city as a whole.

You Can Buy Good Health

Low income goes hand in hand with poor health. The draft showed that the states with the lowest income had the hightest rate of rejections.

"In 1943 the death rate from all causes among whites in the United States was 10.7 per 1,000 population. Among people of all other rates, the great majority of whom are Negroes, it was 12.8 per 1,000, or almost exactly where it stood for white people in the year 1915. Thus, for approximately one-tenth of our population the clock of health and medical progress is behind time by about 28 years.

"While the poor need the most medical care they actually get the least."

The Vicious Circle

"Poverty begets illness, and illness forces the victim into deeper poverty." A vicious circle is established from which it becomes increasingly difficult to escape. The victims produce little and they consume little.

How to Break the Circle

Raising the standard of living and income is a complicated economic operaiton. By comparison, providing adequate medical care is much simpler. The techniques are known. All that is needed is to apply them more widely.

The Example of North Carolina

Five orphanages in North Carolina made an investigation to determine how many of the young men whose childhood had been spent in the institutions were rejected by Selective Service. They found that out of a total of 1,138 former students called in the draft not more than 16 failed to qualify for military duty—a rejection rate of only 1.4 per cent against a rejection rate for all of North Carolina of 56.8 per cent!

The explanation as given by Dr. Clarence Poe was: ". . . these orphanages are supported by poor people and the boys are not coddled, are not given luxuries. They are given SOUND NUTRITION AND REASONABLY ADEQUATE MEDICAL AND HOSPITAL CARE."

Saving 300,000 Lives a Year

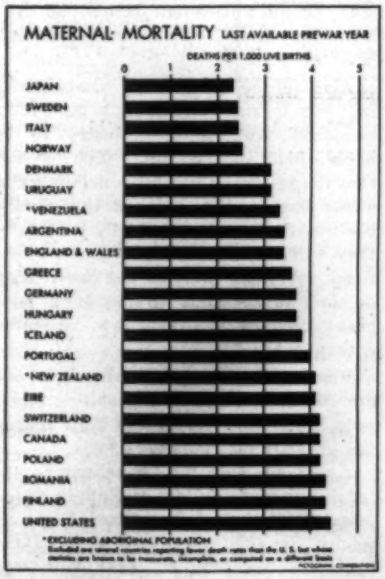
Evidently reasonable medical care pays big dividends. Yet there is not a single state in the Union where such medical care is available to all of the people.

If such care were available to all how many lives might be saved?

If, for example, the 1942 infant mortality rates in 13 Southern States had been as low as the rate for the nation as a whole, 7,780 babies and 797 mothers who died in that year would have been saved. And if our national death rate from all causes could be reduced to the lowest state rate, about 3,000,000 lives would be saved during the next 10 years.

That is more than 5 times the number of lives lost in combat by the United States in 7 wars including World War I and World War II.

Comprehensive legislation has been before Congress since 1939 that would go far toward providing adequate medical care for all. The Wagner, Murray, Dingell bill reintroduced with slight changes in the 80th Congress by 7 Democratic senators, provides for a nationwide system of personal health insurance; federal grants for medical education to furnish additional doctors and dentists; for medical research; for more adequate public health programs; and for increased grants for hospital and health center construction, especially in rural and low-income communities.



(From 140 MILLION PATIENTS)